

110TH CONGRESS  
2D SESSION

# H. R. 7179

To amend the Public Health Service Act to provide coordinated leadership in Federal efforts to prevent and reduce obesity and to promote sound health and nutrition among Americans, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 27, 2008

Mr. TOWNS (for himself and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Public Health Service Act to provide coordinated leadership in Federal efforts to prevent and reduce obesity and to promote sound health and nutrition among Americans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Obesity Pre-  
5 vention Act of 2008”.

1 **SEC. 2. FEDERAL TASK FORCE ON OBESITY; ADVISORY**  
2 **COMMITTEE ON OBESITY.**

3 Part P of title III of the Public Health Service Act  
4 (42 U.S.C. 280g et seq.) is amended by adding at the end  
5 the following:

6 **“SEC. 399S. OBESITY INITIATIVES.**

7 “(a) OFFICE OF THE NATIONAL COORDINATOR OF  
8 OBESITY INITIATIVES.—

9 “(1) ESTABLISHMENT.—There is established  
10 within the office of the Secretary the Office of the  
11 National Coordinator of Obesity Initiatives, to be  
12 headed by the National Coordinator of Obesity Ini-  
13 tiatives. The National Coordinator shall be ap-  
14 pointed by the Secretary and shall report directly to  
15 the Secretary.

16 “(2) DUTIES.—The duties of the National Co-  
17 ordinator of Obesity Initiatives shall include imple-  
18 menting and coordinating a national strategy to  
19 eliminate the occurrence of obesity in the United  
20 States.

21 “(b) FEDERAL TASK FORCE ON OBESITY.—

22 “(1) ESTABLISHMENT.—The Secretary shall  
23 convene a Task Force on Obesity (referred to in this  
24 section as the ‘Task Force’) to—

25 “(A) establish a governmentwide strategy  
26 for preventing and reducing the rate of occur-

1           rence of obesity that includes defining clear  
2           roles, responsibilities, and accountability for all  
3           agencies of the Federal Government and deter-  
4           mining what resources are necessary for pre-  
5           venting and reducing such rate of occurrence;

6                 “(B) coordinate effective interagency ac-  
7           tions and priorities for action among Federal  
8           agencies, including short-term and long-term  
9           goals for childhood and adult obesity rates; and

10                “(C) implement and evaluate the effective-  
11           ness of such strategy.

12           “(2) MEMBERSHIP.—

13                 “(A) IN GENERAL.—The Task Force shall  
14           be composed of—

15                         “(i) the Secretary (or his or her des-  
16                         ignee) of—

17                                 “(I) the Department of Health  
18                                 and Human Services;

19                                 “(II) the Department of Agri-  
20                                 culture;

21                                 “(III) the Department of Edu-  
22                                 cation;

23                                 “(IV) the Federal Trade Com-  
24                                 mission;

1 “(V) the Department of Trans-  
2 portation;

3 “(VI) the Department of De-  
4 fense;

5 “(VII) the Department of Vet-  
6 erans Affairs;

7 “(VIII) the Department of Inte-  
8 rior;

9 “(IX) the Department of Labor;

10 “(X) the Department of Housing  
11 and Urban Development; and

12 “(XI) any other Federal agency  
13 that the chairperson determines ap-  
14 propriate;

15 “(ii) the Chairman (or his or her des-  
16 ignee) of the Federal Communications  
17 Commission; and

18 “(iii) the National Coordinator of  
19 Obesity Initiatives.

20 “(B) CHAIRPERSON.—The chairperson of  
21 the Task Force shall be the National Coordi-  
22 nator of Obesity Initiatives.

23 “(3) MEETINGS.—The Task Force shall meet  
24 at the call of the chairperson.

1           “(4) REPORT.—Not later than January 1,  
2           2010, and on an annual basis thereafter through  
3           January 1, 2015, the Task Force shall submit to the  
4           President and to the relevant committees of Con-  
5           gress, a report that—

6                   “(A) describes the activities and efforts to  
7                   prevent and reduce the rate of occurrence of  
8                   obesity conducted by the Task Force during the  
9                   year to which the report relates; and

10                   “(B) evaluates the effectiveness of such ac-  
11                   tivities and efforts to prevent and reduce the  
12                   rate of occurrence of obesity.

13           “(c) ADVISORY COMMITTEE ON OBESITY.—

14                   “(1) ESTABLISHMENT.—The Secretary may es-  
15                   tablish an advisory committee to be known as the  
16                   Advisory Committee on Obesity to provide rec-  
17                   ommendations to the Task Force for purposes of es-  
18                   tablishing the governmentwide strategy under sub-  
19                   section (a)(1).

20                   “(2) MEMBERSHIP.—

21                   “(A) IN GENERAL.—In the case the Sec-  
22                   retary established the Advisory Committee on  
23                   Obesity, such committee shall be composed of 7  
24                   members, to be appointed by the Secretary, of

1           whom there shall be one representative from  
2           each of the following communities:

3                     “(i) State and local governments.

4                     “(ii) Schools.

5                     “(iii) Community and religious  
6                     groups.

7                     “(iv) The business community, includ-  
8                     ing the food and beverage industry and  
9                     farmers.

10                    “(v) Insurance companies.

11                    “(vi) Researchers and scientists.

12                    “(B) TERMS.—The members of the Advi-  
13                    sory Committee shall serve for such term as the  
14                    Secretary may specify.

15                    “(C) CHAIRPERSON.—The Chairperson of  
16                    the Advisory Committee shall be the National  
17                    Coordinator of Obesity Initiatives.

18                    “(3) MEETINGS.—The Advisory Committee  
19                    shall meet once per year and at such other times as  
20                    the Advisory Committee may provide.

21                    “(4) ADVISORY PANELS.—Each member of the  
22                    Advisory Committee may consult with an advisory  
23                    panel composed of persons from the community of  
24                    such member, with respect to recommendations for  
25                    a national strategy to combat obesity.

1 “(d) OBESITY DEFINED.—For purposes of this sec-  
2 tion, the term ‘obesity’ shall have the meaning given such  
3 term by the Centers of Disease Control and Prevention.”.

4 **SEC. 3. FEDERAL AGENCY REVIEWS TO COMBAT OBESITY.**

5 (a) REVIEWS AND REPORTS BY FEDERAL AGENCIES  
6 REQUIRED.—

7 (1) REVIEWS.—Not later than 6 months after  
8 the date of the enactment of this Act and on an an-  
9 nual basis thereafter, the head of each Federal agen-  
10 cy shall conduct a review of the programs and budg-  
11 ets of such agency to determine how such programs  
12 and budgets impact physical activity, nutrition, and  
13 the rate of occurrence of obesity (as defined in sec-  
14 tion 399S(c) of the Public Health Service Act, as  
15 added by section 2) among people in the United  
16 States. Based on the findings of each such review of  
17 a Federal agency, the head of such agency shall de-  
18 termine ways in which the agency should adopt as-  
19 pects of the governmentwide strategy established  
20 under section 399S(a)(1) of the Public Health Serv-  
21 ice Act, as added by section 2, and implement such  
22 aspects as appropriate.

23 (2) REPORTS.—Not later than 12 months after  
24 the date of the completion of a review under para-  
25 graph (1) by a Federal agency, the head of the

1        agency shall submit to Congress a report on the re-  
2        sults of such review, including any aspects of the  
3        governmentwide strategy described in such para-  
4        graph that are determined should be adopted by the  
5        agency and any such aspects that have been imple-  
6        mented by the agency since the previous review con-  
7        ducted by the agency under this subsection.

8        (b) GAO REPORT.—Not later than 12 months and  
9        annually thereafter, the Comptroller General shall submit  
10       to Congress a report that contains the results of a review  
11       conducted by the Comptroller General of the programs  
12       and budgets of each Federal agency to determine how  
13       such programs and budgets impact physical activity, nutri-  
14       tion, and the rate of occurrence of obesity (as so defined)  
15       among people in the United States.

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